

Weitz & Luxenberg
180 Maiden Lane
New York, NY 10038

SUPREME COURT
COUNTY OF NEW YORK

Index No. 114728/04

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

PHILLIP NELSON BURNS ET AL

Plaintiff(s)

against

GRUPOMEXICO S.A. de D.V., et al

Defendant(s)

STATE OF NEW YORK, COUNTY OF NEW YORK

party herein, is over 18 years of age and resides at

EAST BRUNSWICK, NJ

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

That on February 10, 2005 at 10:50 AM, at One Madison Ave, NY NY

deponent served the within summons, and complaint on Credit Suisse First Boston, Inc.

defendant therein named,

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as

1. ☐ INDIVIDUAL
said defendant therein.
2. ☒ CORPORATION a corporation, by delivering thereat a true copy of each to Susan M. Steffen personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be Asst.VP-Legal & Compliance thereof.

3. ☐ SUITABLE AGE PERSON by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
4. ☐ AFFIXING TO DOOR, ETC. by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO RESIDENCE USE WITH 3 OR 4

5A. ☐

MAILING TO BUSINESS USE WITH 3 OR 4

5B. ☐

DESCRIPTION USE WITH 1, 2, OR 3

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of 264837 first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-62 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input checked="" type="checkbox"/> Red Hair	<input checked="" type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN NYC CIVIL CT.

☐

MILITARY SERVICE

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

sworn to before me on

2/11/05

ANTOINETTE LIOTTI

Notary Public, State of New York
No. 31-4665114Qualified in New York County
Commission Expires May 31, 2006

MARTY GABE

FILED

PRINT NAME & BENEATH SIGNATURE

Weitz & Luxenberg
180 Maiden Lane
New York, NY 10038

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CORPORATION

2. ☒

SUITABLE AGE PERSON

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